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OFFICE OF PETITIONS

In re Application of
MacMillan M. Wisler, et al.
Application No. 10/649,431
Filed: August 27, 2003
Attorney Docket No. AES 03-003

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b) to revive the above-identified application, filed May 31, 2006.

The petition is **GRANTED**.

A review of the record discloses that the application became abandoned for failure to pay the issue fee on or before March 30, 2006. It is noted that a partial issue fee payment of \$915 was received on January 10, 2006. On May 9, 2006 a Notice of Abandonment was mailed. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof. Therefore, on May 31, 2006, the present petition was filed along with the balance of the issue fee. For some unknown reason, on June 2, 2006, the \$915 paid on January 10, 2006 was refunded to counsel's deposit account. The issue fee of \$915 will be recharged to counsel's deposit account using the authorization filed January 10, 2006.

The petition is found to satisfy the requirements of 37 CFR 1.137(b) in that petitioner supplied (1) the reply in the form of the balance of the requisite issue fee of \$485; (2) the petition fee of \$1,500; and (3) the required statement of unintentional delay.

The application is being referred to the Office of Publications to be processed into a patent.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3204. Telephone inquiries related to processing at Publishing Division should be directed to (571) 272-4200.

Sherry D. Brinkley
Petitions Examiner
Office of Petitions